## Administrative Policies and Procedures: 31.5

Subject:	Regional and Field Child Case Files
Authority:	TCA 37-5-105, 37-5-106, 37-04-101, 37-04-201 et seq, and P.L 109-239
Standards:	DCS Practice Model Standard-7-102A
Application:	All Department of Children's Services Family Service Workers and Supervisory Staff

## **Policy Statement:**

All child case files shall be maintained in a systematic manner and shall be safeguarded from unauthorized and improper disclosure of information.

## **Purpose:**

To ensure that child case files are protected, kept in an organized manner and contain all pertinent information required to effectively manage the case.

Procedures:	
A. Confidentiality	<ol> <li>All child case files must be marked "CONFIDENTIAL" on the spine of the binder. All child case files must be stored out of public view.</li> <li>The release of any child case file information must be in accordance with law and DCS policies and procedures.</li> </ol>
B. Case File Style and Maintenance	<ol> <li>A working case file binder will be started for all children who enter state custody, are placed on probation, aftercare, or are in post custody status. A working case file binder must also be started in cases involving a referral for placement and/or services under the Interstate Compact on the Placement of Children (ICPC) or Interstate Compact on Juveniles (ICJ). The working case file binder will include all the information on the child/youth for the calendar yr.</li> </ol>
	<ol><li>All documents contained in the working case file binder will be maintained in a three (3) ring binder.</li></ol>
	3. Once the calendar year ends, the documents of the working case file binder will be moved into companion files, however the following documents will be carried forward into a new working case file binder each year until the child achieves permanency and the case is no longer assigned to a Family Service Worker (FSW):
	<ul> <li>a) The custody order, guardianship order, or any other current/most recent and pertinent court orders to include adjudication of delinquency;</li> </ul>

Original Effective Date: 01/01/98 Current Effective Date: 04/15/07 Supersedes: DCS 31.5, 02/01/03

- b) The current/most recent permanency plan, independent living plan (IL Plan), and/or Individual program plan (IPP);
- c) Any current/most recent adjudicated offense information;
- d) Any past adjudicated offense information;
- e) Any current/most recent progress review documents, (i.e. IPP Monthly and/or Reviews, Quarterly Progress reports, Periodic/Quarterly Review Summary);
- f) Current/most recent health/medical documentation (i.e. EPSDT, Dental exam, or Health Services Confirmation and Follow-up Notification);
- g) (Including current/most recent child welfare benefits determinations and Title IV-E eligibility information);
- h) Educational information for the current/most recent school year; including post-secondary educational documents, when applicable;
- i) Current/most recent release of information forms;
- j) Current/most recent placement exception requests;
- k) 100A and the study evaluation/assessment/up-date upon which the decision was issued/ ICPC 100 B as appropriate (for cases of ICPC); and,
- I) If applicable, any current/most recent visitation or no contact order(s).
- 4. Companion files will be used for each calendar year a child has been in custody and will contain all past information about the child with the exception of the aforementioned items.
- 5. A new working case file binder will be started, each Jan. 1<sup>st</sup>,using the items listed in item 3 in this section, on a child if they remain in state custody more than one year.
- 6. Child identification information is to be placed on both the working case file binder and the companion file. The following child identification information is to consist of the child's TNKids ID#, first and last initial. Companion files will also have a label which identifies it as a companion file.
- Information contained in both the working case file binder and companion files must be filed in chronological order with the most recent information located on top.
- 8. Working case file binders will be organized according to section C of this policy and will contain tab dividers to separate each section. *Regional Child Case File Cover Sheets* can be printed from the *Intranet DCS Forms* for placement in front of the tabs to indicate the contents of each section in the child's working case file binder. The companion files will be arranged in the same order, but the Regional Child Case File Cover Sheets will be printed on colored paper to separate each section and tabs will not be used.
- All child case files, working and companion files, will be maintained according to this policy and are subject to disposition according to TN DCS Records Disposition Authority (RDA) schedules.

## C. File contents

**Note**: Documents and forms utilized by the Department and its partner agencies are revised and/or deleted more frequently than policies are revised. Therefore, while documents known to be under development at the release of this policy may be reflected, it is possible that companion files will contain different versions of forms and working case file binders may contain additional new forms.

- 1. <u>CPS/Court Intake:</u> This section consists of, but is not limited to, copies of pertinent information obtained by the state during the discovery or investigative process regarding specific events or referrals concerning a child/family. The information below will be provided for the child's case file but the original investigative file will remain intact and in the possession of the CPS investigator. Appropriate documentation for this section, depending on the circumstances of the case, may include the following:
  - a) CPS Referral/Intake
  - b) CS-0680, Child Protective Services Intake;
  - c) Dictation (chronology of CPS activities/TNKids case recordings);
  - d) Forensic Interviews;
  - e) Description of physical injuries/condition with accompanying photographs;
  - f) Medical and/or psychological exams to document injuries;
  - g) Law enforcement reports;
  - h) Initial notifications to the District Attorney and the Judge;
  - i) Correspondence (police reports, out of state information, supportive documentation);
  - j) <u>CS-0740, CPS Investigation Summary and Classification Decision of</u> Child Abuse/Neglect Referral;
  - k) Child Abuse Review Team (CART) Form;
  - I) CS-0561, Child Protective Investigative Team (CIPT) Review;
  - m) CPIT Staffing Form;
  - n) CS-0701, Immediate Protection Agreement;
  - o) CPS Intake, Placement & Legal Referral Form;
  - p) <u>CS-0682</u>, <u>Expedited Placement Assessment Summary</u>;
  - q) CS-0584, Checklist For Diligent Search Efforts for Placement Resources;
  - r) CS-0714, Checklist For Good Faith Attempt to Locate;
  - s) CS-0635, Notice of Child Fatality/Near Fatality;
  - t) Special Investigation Unit Notification;
- 2. <u>LEGAL:</u> This section consists of, but is not limited to, all record information generated for or by the judiciary. Appropriate documentation for this section, depending on the circumstances of the case, may include the following:
  - a) Prior record from the court;
  - b) Correspondence to and from the court;

Original Effective Date: 01/01/98 Current Effective Date: 04/15/07 Supersedes: DCS 31.5, 02/01/03 CS-0001

- c) Protective custody order(s);
- d) Court report(s);
- e) Affidavit of Reasonable Efforts;
- f) Petitions;
- g) Court orders (probation, custody, and/or guardianship);
- h) Order(s) of reference:
- Surrenders or Voluntary Placement Agreement (<u>CS-0651</u>, <u>CS-0653</u>, or <u>CS-0428</u>);
- j) Copies of subpoenas;
- k) CS-0130, Release to Home Placement;
- CS-0587, Request For Public Notification of Release of Juvenile Offender;
- m) <u>CS-0041, Notification of Proposed Home Placement, with attached Release Summary;</u>
- n) CS-0046, Discharge Form and Summary;
- o) CS-0004, Determinate Commitment Release Notification;
- p) <u>CS-0006, Individual Student Commitment Reduction credits</u>, (Determinate Only);
- q) (CS-0482, Notice of Proposed Trial Home Visit Unruly Child);
- r) CS-0156, Violation Report;
- s) CS-0559, Authorization for Release of Child-Specific Information;
- t) CS-0668, Authorization for Release of Information;
- u) CS-0043, Rules of Probation;
- v) CS-0012, Rules of Aftercare;
- w) Court ordered safety plan of action;
- x) CS-0557, Detainer Notification Form;
- y) CS-0158, Notification of Equal Access to Programs;
- z) CS-0699, HIPAA Notice of Privacy Practices-Client Acknowledgement;
- aa) Appeals/grievances;
- bb) <u>CS-0435</u>, <u>Request for Name and/or Address of Father a Child Born Out of Wedlock (Putative Father Register)</u>;
- cc) CS-0494, Notice and Motion-Dependant and Neglected;
- dd) CS-0450, Notice For Removal of A Child From Resource Home;
- ee) CS-0093, Release from Medical Responsibility;
- ff) CS-0705, Absconder Recovery;
- gg) CS-0706, Absconder Recovery Runaway/Escapee Checklist;

- ASSESSMENT & VERIFICATION: This section consists of, but is not limited to, information collected and utilized as the basis for all case management decisions made for families and children relative to the intensity of their level of care services. This section also includes documents issued by an authorized governmental or non-governmental entity. Appropriate documentation for this section, depending on the circumstances of the case, includes the following:
  - a) Social security card;
  - b) Birth certificate;
  - c) Death certificate(s) of parent/legal guardian;
  - d) Marriage certificate of parent /legal guardian;
  - e) Divorce decrees of parent (s)/legal guardian;
  - Structured Decision Making/Risk Assessment Form(s);
    - Safety Assessment
    - Family Risk Assessment
    - Family Advocacy Support Tool (FAST) (Current/most recently pilot
  - g) Genogram, family map, eco map, and/or timeline;
  - h) Family Functional Assessment and/or Social History;
  - Child and Adolescent Needs and Strengths (CANS) Assessment;
  - Youth Level Services (YSL) Assessment;
  - k) CS-0659, Community Risk Assessment;
  - CS-0153, Pre-disposition Investigation:
  - m) Pre-dispositional report;
  - n) Tennessee Risk Assessment Scale (Daniel Memorial Assessment Results);
  - o) Ansell Casey Life Skills Assessment (pending), and
  - p) CS-0664, Placement exception requests
- 4. **HEALTH**: This section consists of, but is not limited to, health information describing or related to the emotional and physical health of a child/youth. Health information shall be maintained confidentially and used or disclosed only as allowed by law or applicable DCS policies and procedures. Appropriate documentation for this section, depending on the circumstances of the case, may include the following:
  - a) Immunization records;
  - b) Medical birth history;
  - c) CS-0708, EPSDT Physical Examination;
  - d) Primary Care Provider (PCP) letter regarding EPSDT Results;
  - e) Dental Exam reports/documentation;

- f) CS-0689, Health Services Confirmation and Follow-up Notification;
- g) Psychiatric/psychological evaluations;
- h) Psychiatric/medical hospitalization information;
- i) <u>CS-0206, Informed Consent to Routine Health Services For Minors;</u>
- j) CS-0627, Informed Consent for Psychotropic Medication;
- k) CS-0628, Request for Prior Approval of PRN Psychotropic Medication;
- I) CS-0593, Community Residential Medication Administration Record;
- m) CS-0630, Resource Home Prescription Medication Record;
- n) CS-0543, Health Information and History;
- o) TNCare Medical Care Appeal Form;
- p) Notice of Action Form; and
- q) Any additional Medical report/documentation.
- 5. FINANCIAL, BENEFITS & EXPENSES: This section consists of, but is not limited to, information regarding the types of financial benefits or services provided to the child/family. It also includes information collected and utilized as the basis for all decisions related to a child's eligibility for Title IV-E and Medicaid/TNCare, and other possible sources of funding for the child. This section also includes information documenting referrals for child support, Social Security, SSI, VA, etc. for the child, if appropriate. Appropriate documentation of financial benefits and/or determinations of eligibility typically include the following:
  - a) CS-0475, Child Welfare Benefits Application
  - b) CS-0477, Child Welfare Benefits Redetermination
  - c) FA-0848, Notice Of Child Welfare Benefits Summary;
  - d) Insurance Card (TennCare or private insurance);
  - e) Any Medicaid or additional insurance information/verification;
  - f) <u>CS-0533, Medical Services Authorization for Non-TNCare Eligible</u> Children:
  - g) CS-0476 Notification of a Change in Circumstances;
  - h) Request for collective fund account balances;
  - i) Medical, dental and psychological bills;
  - j) Title IV-D (child support); IV-D worksheet;
  - k) Social Security Administration (SS) and/or Veterans Administration (VA) benefits documentation;
  - I) Black lung forms;
  - m) CS-0493, Standard Claim Form;
  - n) Flexible Funding for Families;
  - o) Paycheck Stubs;

- p) ACH form Direct Deposit (FA-0825, Automated Clearinghouse Credits);
- q) CS-0565, Foster home placement contract;
- r) CS-0674, Special or Extraordinary Rate Request;
- s) CS-0656, Supplemental Respite Care Form; and/or
- t) Substitute W-9 Form
- 6. <u>DOCUMENTATION</u>: This section consists of, but is not limited to, monthly case recording, information regarding significant events requiring official documentation and correspondence from other agencies. Appropriate documentation for this section, depending on the circumstances of the case, may include the following:
  - a) DCS monthly case recordings prior to the effective date of this policy, as indicated per <u>DCS Policy 31.14</u>, <u>Case Recordings for Foster Care</u>, <u>Adoption Services</u>, <u>and Juvenile Justice Cases</u> (Hard copy recording will need to be printed for submission to archives following an adoption finalization.
  - b) <u>CS-0577</u>, <u>Permanency Plan</u> (including justification form and notice of action);
  - c) Permanency Plan Termination Criteria and Procedures;
  - d) <u>CS-0681</u>, <u>Request for Permanency Goal of Planned Permanent Living Arrangement;</u>
  - e) CS-0624, Child and Family Team Meeting Confidentiality Agreement;
  - f) CS-0582, Individual Program Plan (IPP); (probation/Aftercare);
  - g) <u>CS-0288, IPP</u> (YDC/DCS GH);
  - h) CS-0650, Independent Living Plan;
  - i) CS-0230, Staffing Summary and Placement Justification Form;
  - j) CS-0387, Staffing Participants Form (YDC/DCS GH);
  - k) Child & Family Team Meeting Summary;
  - I) CS-0388, IPP Monthly Review (YDC/DCS GH);
  - m) CS-0225, Quarterly IPP Review (YDC/DCS GH);
  - n) CS-0581, Quarterly IPP Review Program Operations;
  - CS-0606, Adoption & Safe Families Act (ASFA)/Utilization Review;
  - p) CS-0430, Quarterly Progress Report on Child in State Custody;
  - g) CS-0510, Periodic Review Summary;
  - r) (ICJ) Quarterly Progress Reports (Probation/Aftercare);
  - s) <u>CS-0496, Serious Incident Report for DCS Contract Agencies and DCS Foster Homes;</u>
  - t) CS-0311, Incident Report (YDC);
  - u) CS-0203, Youth Behavioral Minor Incident Report (YDC);
  - v) CS-0303, Minor Incident Report for Youth (DCS GH);

- w) CS-0296, Notice of Apprehension;
- x) <u>CS-0226, Classification Report Cover sheet</u>, summary and narrative;
- y) Special Conditions on Court Orders-proof of completion;
- z) <u>CS-0594</u>, <u>Visitation Observation Checklist</u>;
- aa) Private Provider Reports;
- bb) Group Home Reports;
- cc) YDC Reports;
- dd) CS-0394, Youth Pass Request (YDC/DCS GH);
- ee) Youth Pass Requests-Private Provider Agency Request;
- ff) Therapy Progress Notes;
- gg) Crisis response documentation/Mobile Crisis Reports;
- hh) Counseling Reports;
- ii) Substance Abuse Screening Documentation youth;
- jj) Drug Test Reports;
- kk) Parenting Reports;
- II) Homemaker Reports; and/or
- mm) Day Care Reports.
- 7. <u>EDUCATION:</u> This section consists of, but is not limited to, information describing or related to the process of the child attending or receiving formal school training. Appropriate documentation for this section, depending on the circumstances of the case, may include the following:
  - a) <u>CS-0657</u>, <u>Education Passport</u> Face Sheet and associated documents (e.g, school enrollment letter, report cards, IEP, transcript, eligibility report, suspension and expulsion notices, etc.);
  - b) School enrollment letter per <u>DCS Policy 21.14</u>, <u>Serving the Needs of the Child/Youth in DCS Custody</u>;
  - c) CS-0703, Adjudication Notification to Schools;
  - d) Report Cards;
  - e) Transcript (including all coursework completed) including last grade completed;
  - f) Copies of TCAP score reports/labels: (Achievement scores for elementary/middle school age and TCAP Gateway scores for high school age);
  - g) Attendance Records;
  - h) Discipline Records: (Discipline reports, suspension notices, suspension appeals, expulsion notices, expulsion appeals);
  - i) Special Education Eligibility Report;
  - j) Special Education Psycho-educational Evaluation;

- k) Individual Education Plan (IEP) for special education students;
- Section 504 Student Service Plan for students receiving 504 services; and/or
- m) Individual family service plan for disabled children age birth to three for children receiving services through TN Early Intervention System (TEIS).
- 8. <u>ADOPTION/GUARDIANSHIP:</u> This section consists of information related to the efforts made to secure an adoptive placement for a child who will be placed for adoption or documents related to the child's current/most recent adoptive placement. Although most these documents will only be present for a short time before a child reaches permanence, appropriate documentation for this section, depending on the circumstances of the case, may include the following:
  - a) CS-0695, React child entry form;
  - b) CS-0696, React child status form;
  - c) Individual Recruitment Plan;
  - d) Copy of Child's Profile (Used for recruitment);
  - e) Pre-placement Summary;
  - f) Presentation Summary;
  - g) Approval to Separate Siblings for the Purpose of Adoption;
  - h) CS-0460, Intent to Adopt and Application for Adoption Assistance;
  - i) CS-0513, Adoption Assistance Agreements on or After October 1, 1997;
  - j) <u>CS-0461, Adoption Assistance Agreements Pri</u>or to October 1, 1997;
  - k) Approval for Non-recurring Adoption Assistance Expenses;
  - Documentation of Child's Special Needs;
  - m) CS-0719, Intent to Obtain Permanent Guardianship Placement Agreement (Part 1) and Application for Subsidized Permanent Guardianship (Part 2);
  - n) CS-0721, Subsidized Permanent Guardianship Agreement;
  - o) CHipFinS Printout Ending Foster Care Board Payment;
  - p) Copy of Letter to Contact Attorney;
  - q) Adoption Petition;
  - r) Order of Reference;
  - s) Final Adoption Court Report packet: (court report, consent to adopt, new birth certificate application, letter to clerk);and/or
  - t) Final Decree of Adoption.
- 9. INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN (ICPC): This section contains required documents related to the child/family welfare service requests for inter-jurisdictional placements for foster care or as a preliminary to an adoption as defined. Appropriate documentation for this section, depending on the circumstances of the case, may include the

following:

- a) Referral Request for Interstate Placement Services;
- b) CS-0525, ICPC 100A Interstate Compact Placement Request;
- c) ICPC Intake Reference (includes TN Kids and ICPC Intake #);
- d) <u>CS-0523, ICPC 100B Interstate Compact Report on Child's Placement Status</u>);
- e) ICPC 101, Sending State's Priority Home Study Request;
- f) All reports or resource home studies, which provide the basis for a decision regarding placement and/or termination of each ICPC request;
  - Parent, relative, non-relative, foster or adoptive studies and their appropriate attachments;
  - Licensure documents;
  - Progress reports; and
  - Discharge summaries
- g) Any court orders or pertinent documents issued from a state other than Tennessee; and/or
- h) Financial Medical Plan (including documentation of the current/most recent status of the child's Title IV-E eligibility under the Federal Social Security Act).
- 10. <u>INTERSTATE COMPACT ON JUVENILES (ICJ)</u>: This section consists of information related to the process of making interstate placements for children who are adjudicated delinquent. Appropriate documentation for this section, depending on the circumstances of the case, may include the following:
  - a) Cover Letter requesting Interstate Compact Services;
  - b) Interstate Compact on Juveniles (ICJ) Form I Requisition for Runaway Juvenile/Child Removed from Jurisdiction of Court:
  - c) <a href="ICJ Form II">ICJ Form II</a> Requisition for Escapee/Absconder/Juvenile Charged with Being Delinguent:
  - d) <u>ICJ Form III</u> Consent for Voluntary Return by Runaway, Escape or Absconder or Juvenile Charged as Delinquent;
  - e) <u>ICJ Form V</u> Report of Sending State upon Parolee or Probationer being sent to the Receiving State;
  - f) ICJ Form A Petition for Requisition to Return a Runaway Juvenile;
  - g) <u>ICJ Juvenile Rights Form</u> Rights for Voluntary Return of Runaway, Absconder, Escapee or Juvenile being Charges as Delinquent;
  - h) ICJ Form IA/VI Application for Compact Services and Waiver;
  - i) ICJ Form IV Probation or Parole Investigation Request; and/or
  - j) <u>ICJ Home Evaluation Report</u> or Home Evaluation Report (the ICJ form is an optional form, some states do not use it but there will be a report entitled home investigation report on cases entering or leaving TN for supervision).

Original Effective Date: 01/01/98 Current Effective Date: 04/15/07 Supersedes: DCS 31.5, 02/01/03

- 11. <u>INTERDEPENDENT LIVING (IL) INFORMATION:</u> This section consists of information related to the process of assisting youth gain adult life skills, attain their post secondary education goals and transition to self-sufficiency. Appropriate documentation for this section, depending on the circumstances of the case, may include the following:
  - a) Interdependent Living (IL) Referral Form;
  - b) CS-0488, Rights and Responsibilities at Age 18;
  - c) CS-0604 Release of Information for Post Secondary Assistance;
  - d) CS-0599, Application for Post Secondary Funding;
  - e) Interdependent Living Allowance Contract;
  - f) CS-0505, IL Program Discharge Summary; and/or
  - g) Refusal of Post Custody Services.
- MISCELLANEOUS/CORRESPONDENCE: Information that is pertinent to the case but not identified by policy to be filed in Sections 1 – 11 is to be placed in Section 12, Miscellaneous. Examples of such information are provided below.
  - a) Child's Pictures;
  - b) Due process notification letters to/from perpetrator/agency, including appeal summaries;
  - CS-0585, Appeal of placement denials in YDCs and Group Homes and or Appeal of Terminations from DCS group homes,
  - d) <u>CS-0586, Statement of Objection to Termination from Community Residential Program;</u>
  - e) CS-0111, Approved Visitor List,
  - f) CS-0638, Case Transfer List,
  - g) Electronic Monitoring Form;
  - h) Request for Formal File Review Letters;
  - i) Notice of Protective Custody Form Letters;
  - j) Meeting notification letters (I.e. CFTM, FCRB, Staffing, IEP etc.);
  - k) Absconder Harboring Letter;
  - Absconder Notification of Parental Responsibility;
  - m) CS-0330, Mechanical Restraint Report,
  - n) CS-0309, Notification of Program Transfer;
  - o) CS-0192, Notice of Staffing (YDC/DCS GH);
  - p) CS-0351, Transportation Request;
  - q) CS-0328, Youth Grievance Report Probation Aftercare; and or
  - r) Other Correspondence

Forms:	Listed in the procedural section
Collateral Documents	DCS Policy 21.12, Rights Relating to Youth Eligible for Special Education  DCS Policy 31.14, Case Recordings for Foster Care, Adoption Services, and  Juvenile Justice Cases